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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
INFORMATION DISCLOSURE STATEMENT BY APPLICANTS	Atty. Docket No. (Opt.) VIGN1140



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Applicant Brendan J. Kitts		RECEIVED FEB 10 2003 1700
Application Number 09/682,000	Filed July 6, 2001	
For Method of Predicting a Customer's Business Potential and a Data Processing System Readable Medium Including Code for the Method		
Group Art Unit 2162	Examiner Unknown	APR 28 2003

Commissioner for Patents
Washington, D.C. 20231

<u>Certification Under 37 C.F.R. §1.8</u> I hereby certify that the documents listed below are being deposited with the United States Postal Service as First Class Mail to Addressee in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on January 21, 2003. Carolyn J. Williams
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Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the art listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified application. A copy of the art is enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. §§ 1.97(g) and (h), no representation is made that a search has been made or that this art is material to patentability of the present application.

While Applicant believes no fees are due, if any fees are due, the Commissioner is hereby authorized to charge Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich LLP.

Applicant respectfully submits that the claims of Applicant's above-referenced patent application are patentably distinguishable from these references.

Respectfully submitted,

Gray Cary Ware & Freidenrich LLP
Attorneys for Applicant

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Dated: 1/21/2003

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FORM PTO 1449 FEB 0 4 2003 PATENT & TRADEMARK OFFICE	US Department of Commerce Patent and Trademark Office	ATTY DOCKET NO.: VIGN1140	FFR 10 7113 SERIAL NO.: 09/682,000
	APPLICANT(S): TC 1700 Brendan J. Kitts		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: July 6, 2001	GROUP ART UNIT: 2162

U.S. PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE		CLASS	SUB- CLASS	FILING DATE
	A1	5,790,790	08/04/98	Smith et al.	395	200	10/24/96
	A2	5,774,660	06/30/98	Brendel et al.	395	200	08/05/96
	A3	5,761,416	06/02/98	Mandal et al.	395	200	12/27/96
	A4	5,732,218	03/24/98	Bland et al.	395	200	01/02/97
	A5	5,421,015	05/30/95	Khoyi et al.	709	107	09/20/93
	A6	5,339,392	08/16/94	Risberg et al.	345	762	12/28/90
	A7	5,331,673	07/19/94	Elko et al.	714	43	03/30/92
	A8	5,257,369	10/26/93	Skeen et al.	709	312	10/22/90
	A9	5,226,161	07/06/93	Khoyi et al.	709	316	08/31/92
	A10	5,312,787	05/18/93	Baker et al.	707	101	03/12/91
	A11	5,210,824	05/11/93	Putz et al.	707	523	03/28/91
	A12	4,811,207	03/07/89	Hikita et al.	707	2	03/06/86
	A13	4,754,428	06/28/88	Schultz et al.	709	246	04/15/85
	A14	6,185,608	02/06/01	Hon et al.	709	219	06/12/98
	A15	6,185,586	02/06/01	Judson	707	513	04/06/98
	A16	6,141,737	10/31/00	Krantz et al.	711	171	11/04/99
	A17	6,138,141	10/24/00	DeSimone et al.	709	203	10/18/96
	A18	6,128,665	10/03/00	Fields et al.	709	219	07/10/98
	A19	6,112,279	08/29/00	Wang	711	119	03/31/98
	A20	6,094,662	07/25/00	Hawes	707	104	04/30/98
	A21	6,085,226	07/04/00	Horvitz	709	203	01/15/98
	A22	6,067,565	05/23/00	Horvitz	709	218	01/15/98
	A23	5,958,008	09/28/99	Pogrebisky et al.	709	223	04/11/97
	A24	5,878,223	03/02/99	Becker et al.	709	223	05/07/97
	A25	5,870,559	02/09/99	Leshem et al.	709	224	04/11/97

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO 1449 US Department of Commerce Patent and Trademark Office FEB 04 2003 INFORMATION DISCLOSURE STATEMENT BY APPLICANT	ATTY DOCKET NO.: VIGN1140 FEB 10 2003	SERIAL NO.: 09/682,000
	APPLICANT(S): Brendan J. Kitts	
	FILING DATE: July 6, 2004	GROUP ART UNIT: 2162

A26	5,796,952	08/18/98	Davis et al.	709	224	03/21/97
A27	5,740,430	04/14/98	Rosenberg et al.	395	616	11/06/95
A28	5,727,129	03/10/98	Barrett et al.	706	10	06/04/96
A29	5,572,643	11/05/96	Judson	709	218	10/19/95
A30	6,012,052	06/04/00	Altschuler, et al.	707	2	01/15/98
A31	5,918,014	06/29/99	Robinson	395	200.49	12/26/96
A32	5,884,282	03/16/99	Robinson	705	27	04/09/98
A33	5,790,426	08/04/98	Robinson	364	554	04/30/97
A34	5,704,017	12/30/97	Heckerman, et al.	395	61	02/16/96
A35	6,041,311	03/21/00	Chislenko, et al.	705	27	01/28/97
A36	6,092,049	07/18/00	Chislenko, et al.	705	10	03/14/97
A37	6,049,777	04/11/00	Sheena, et al.	705	10	03/14/97

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EXAM. INITIALS	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION (YES/NO)
B1						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages)

C1	Discount Store News, "Datasage Customer Analyst," 1998
C2	Montgoemry, et al., "Estimating Price Elasticities with Theory-Based Priors," J. Marketing Research, Vol. 36, pp. 413-23, 1999.
C3	Simon, "Price Management," Elsevier Sci Pub, pp. 13-41, 1989.
C4	Subrahmanyam and Shoemaker, "Developing Optimal Pricing and Inventory Policies for Retailers Who Face Uncertain Demand," J. Retailing, Vol. 72, pp. 7-30, 1996.
C5	Vilcassim and Chintagunta, "Investigating Retailer Product Category Pricing from Household Scanner Panel Data," J. Retailing, Vol. 71, pp. 103-28, 1995
C6	Weinstein, "Tackling Technology," Progressive Grocer, 1999.
C7	Wellman, "Down in the (Data) Mines," Supermarket Business, pp. 33-35, 1999.
C8	RT News, "New Customer Management System Returns Lost Sales to Dick's," RT Magazine, 1999.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	FILING DATE: July 6, 2001	GROUP ART UNIT: 2162

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C9	DataSage, Inc., "DataSage Customer Analyst," Progressive Grocer, 1998
C10	Miller, M., "Applications Integration-Getting It Together," PC Magazine, Feb. 8, 1994, pp. 111-112, 116-120, 136, 138.
C11	PointCast 2.0 Eases Burden on Network, 3 pp., Jun. 2, 1997
C12	Strom, David, The Best of Push, 7 pp., Apr. 1997.
C13	When Shove Comes to Push, 7u pp., Feb. 10, 1997.
C14	thirdvoice.com—Home Page and Frequently Asked Questions (7 pages), www.thirdvoice.com , www.thirdvoice.com/help.20/faq.htm , 2000.
C15	Kitts, "An Evaluation of Customer Retention and Revenue Forecasting in the Retail Sector: Investigation into the Effects of Seasonality, Spending and Method" by DataSage, Inc., October 25, 1999, 63 pages.
C16	Kitts, "RMS Revenue and Retention Forecasting Final Phase Model Specification" by DataSage, Inc., January 31, 2000, 16 pages

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